

TOWN OF VOLUNTOWN

PLANNING AND ZONING

JULY 13 2016

The Regular meeting of the Voluntown Planning and Zoning Commission was called to order at 7:00 P.M. by Chairman Carl Grenier. Members present were: Tom Sweet, Arthur Nieminen, Patricia Wray, Scott Davidson, Ronald Millovitsch. Also present was Peter Zvingilas the Building and Zoning Officer and Attorney Michael Carey. First Selectman Robert Sirpenski was also present. At 7:14 James Hutchins arrived.

Review and Amend minutes from the previous meeting dated June 8 2016: The minutes from June 8, 2016 were read and it was decided by the board to amend the minutes. Arthur made a motion to correct the minutes, Tom seconded the motion, all in favor, so moved.

Zoning Enforcement Officer Report: Nothing to report

Visitors: Wendy Gauthier, Belinda Weise, Debbie Maynard, Mary Ann Nieminen, Edward Grenier. Land Attorney Mr. William Sweeny for the Board of Selectmen. Kyle Haubert and Bob Mullen from CLA Engineers, Inc.

Old Business: First on the list CLA plans for the town garage. Attorney Sweeny stood up and introduced himself as the Land Attorney (see attached credential) hired by the Board of Selectman to discuss any issues that have arisen from deciding on approving the site plan for the garage. He stated that the grant money has been sitting idle since March and is hoping that the commission could come together and approve the site plan after he talks about his legal advice on his investigating. Second on the list was discussing on the 8-24 review/Town Garage. Attorney Sweeney stated that back in 2010 when the 8-24 came before the commission it was approved. He also stated that as long as no changes or modifications has been applied the approval is still in effect. The Chair Carl Grenier stated that there was trees added, a salt shed, and solar panels. Attorney Sweeney stated that there is a state statute that prohibits any person on a commission that has a conflict of interest cannot stand into the decision process in which the Chair Carl Grenier had to step out at this time. A member of the audience Debbie Maynard stated that Ronnie Millovitsch should be excused too because in 2010 he was the first selectman who presented the site plans. Attorney Carey felt it best to have Ronnie Millovitsch step out of the meeting. The commission appoints James Hutchins to stand in for the Chairman for this discussion. Attorney Sweeny presents his report and the minutes (see attached) from 2010 planning and Zoning on his findings for the site plans for the garage. He noted back in 2010 the site plan was approved and since then nothing has been added. This was phase one of the project. Then there was phase 2 of the project of the same site plan but it was just shifted a few feet. Phase 2 of the project just needs the

commission's approval for zoning regulations. Arthur Neiminen asked about the frontage and Peter Zvingilas said he OK'd the zoning aspect. 10B2 regulations from 103B1 zoning reg's book states site plan does not congest, meaning that per zoning the use of a shared driveway is permitted as long as it does not cause congestion. As far as road frontage in the village district, 150 feet is needed on a town approved road. Gate St and Beachdale are town approved roads. The access point is under 150 feet however 75 feet wide conforms and meets the letter of the law. "Briggs 1929 gave the town the pre-existing driveway". So that being said, zoning came in after in 1970's so the frontage does meet the zoning. As far as buffer issue's, there are no buffer regulations that adhere to this site plan. As far as multiple uses on the site, it was noted that this is a single use with accessory buildings. Attorney Sweeney thanked the commission for speaking and he has left all information with the commission for review. He also would like a copy of the letter that Mr. Edward Grenier (see attached) wrote to the commission regarding his property line and he will discuss and speak to him as far as his concerns. Attorney Sweeney is hoping the commission will come to a motion to accept the site plans for the garage any other items including the salt shed will need to come before the commission for approval. Arthur Neiminen is afraid of precedent and ask Attorney Carey and Attorney Sweeney about the frontage. Arthur asked CLA Bob Mullen's if they meet the requirement for frontage. Per scale they do meet the requirement. Patricia Wray ask if there would be any repercussions if the town did not own the land. There could be an injunction if the town did not own the land. For the record, if any modifications are added to the site plan (meaning any additions, salt shed, ect) then the site plan would need to go to the commission for approval. James Hutchins made a motion to approve the site plans, Scott Davidson seconds, Patricia Wray Voted yes, Arthur Neiminen approved and Thomas sweet approves pending that if any modification are to be added then they will need to come in front of the board for any approvals.

NEW BUSINESS- Carl Grenier returns back to the meeting as the Chairman. The topic discussion is Raina Spaziani (Farmer's Market/Auction/driveway apron)) and the site plans that was approved and what the status was on the requirements being done as agreed. Peter Zvingilas has not received a letter from DOT for the apron that will need to be finished to conform to the site plan. Peter Zvingilas has noted that she has 7 years to complete what she has agreed to finalize, Attorney Carey agrees as well. Peter Zvingilas will send a letter reminding her of the requirements.

NEW BUSINESS-COG Training for November. The commission agrees to November 14-18 for training, this is key for the Commission.

Discussion- Zoning Review: 06/08/2016 Memo from Attorney Carey. They need to look at making regulations for zoning on salt sheds. Carl asked Peter Zvingilas if any other town has any regulation concerning them. NECOGG might have some information concerning salt sheds. Next discussion-FOI request-concerning signs. Attorney Carey will look into the matter stating that there is a Supreme court case right now concerning the use of signs.

CGS-8-19-Member requirement: It will be up to the Board of Selectman to appoint a new Chairman to fill a vacancy.

Carl made a motion to adjourn the meeting, Tom second the motion, all in favor, so moved. The meeting was adjourned at

Respectfully Submitted:

Carl Grenier, Chairman

Barbara Gauthier, Recording Secretary for P&Z

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